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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,530	10/24/2003	Kim Cameron	40062.0218US01	9898

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EXAMINER

HOANG, DANIEL L

ART UNIT	PAPER NUMBER
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2136

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/16/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/692,530	Applicant(s) CAMERON ET AL.	
	Examiner Daniel L. Hoang	Art Unit 2136	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/24/03, 8/01/05.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10/24/03 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>8/01/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

CLAIMS PRESENTED

Claims 1-22 are presented.

CLAIM REJECTIONS

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

1. Claims 9-15 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Said claims recite the term "module" which according to applicant's specification is a "program module". Examiner is interpreting this as data and thus does not fall within patent eligible subject matter.
2. Claim 16 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. On page 10 of the specification applicant has provided evidence that applicant intends the medium to include signals such as the claims is drawn to a form of energy. Energy is not one of the four categories of invention and therefore this claim is not statutory. Energy is not a series of steps or acts and thus is not a process. Energy is not a physical article or object and as such is not a machine or manufacture. Energy is not a combination of substances and therefor not a composition of matter.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Hanna et al.,

US Patent No. 6,801,998, hereinafter Hanna.

As per claim 1, Hanna teaches:

In an initiating system, a method for establishing a group membership with a group identity information document comprising:

creating group identity information for inclusion in the group identity information document; and

[see col. 5, lines 29-33] "In response to the receipt of a request for service from the applicant associated with the client 10, the application server 12 determines the identification of the group or groups having the right to perform the requested service."

generating a self-signed group identity information document comprising the group identity information, at

least a first key, and a group identity information document signature signed using a second key

associated with the first key in the identity information document.

[see col. 5, lines 36-49] "The application server 12 generates an encrypted group identification message, which may take a number of forms. For example, as depicted in FIG. 4a, the encrypted group identification message may be formed by encrypting the relevant group id (i.e. the group id for the group having access to the requested service) with an encryption key which permits decryption by the applicable group membership server 16. More particularly, the application server 12 and the group membership server may have a shared or symmetric key and the group id may be encrypted using the shared key. Alternatively, the applicable group membership server 16 may be provided with a public key pair and the group id may be encrypted using the respective group membership server public key."

As per claim 2 and 17, Hanna teaches:

The method of claim 1 further comprising: sending the group-signed group identity information document to a receiving system to establish the group identity at the receiving system.

[see col. 5, lines 62-65] "The client 10, upon receipt of the encrypted group id, forwards the same to the default group membership server 16 or the applicable group membership server 16 specified in the message."

As per claim 3, Hanna teaches:

The method of claim 2, further comprising: sending a group-signed membership identity information document with the group-signed group identity information document to the receiving system to establish membership of an originator of the membership identity information document in the group identity established at the receiving system.

[see col. 5, lines 58-61] "The message transmitted from the application server 12 to the client 10 that includes the encrypted group id may also include an unencrypted identification of the group membership server 16."

As per claim 4, Hanna teaches:

The method of claim 3 further comprising:

receiving the group-signed membership identity information document from the originator;

[see col. 5, lines 66-67] "The group membership server receiving the encrypted group id decrypts the message to obtain the name of the group having the right of access to the requested service."

detecting whether the group associated with the membership identity information document has been accepted; and

[see col. 6, lines 2-4] "The group membership server then determines if the applicant is a member of the specified group."

assigning security protocols to communications from the originator based on the group identity information if the group identity information is accepted.

[see col. 6, lines 4-6] "If it is determined that the applicant is a member of the group, the group membership server 16 generates a message indicative of membership."

As per claim 5, Hanna teaches:

The method of claim 3, wherein the act of sending comprises: storing the group-signed membership identity information document in an initiating system; retrieving the group-signed membership identity information document; attaching the group-signed membership identity information document to the message; and sending the message to the receiving system.

[see fig. 3A and 3B]

As per claim 6, Hanna teaches:

The method of claim 3, further comprising: sending to the receiving system a self-signed personal identity information document of the originator of the message to establish at the receiving system identity of the originator in addition to originator's membership in the group.

[see rejection of claim 4, wherein if the group membership server determines if the applicant is a member of the specified group. Examiner is interpreting that it is clear that applicant submits some sort of identification information along with encrypted group ID in order for said server to authenticate/validate applicant.]

As per claim 7, Hanna teaches:

The method of claim 6, wherein the acts of sending a self-signed personal identity information document and group-signed membership identity information document comprise;
generating the self-signed personal identity information document;

[see rejection of claim 6]

attaching the self-signed personal identity information document to the message;

[see rejection of claim 6]

retrieving the group-signed membership identity information document;

[see rejection of claim 1]

attaching the group-signed membership identity information document to the message; and

[see rejection of claim 1]

sending the message to the receiving system.

[see rejection of claim 3]

As per claim 8, 19, and 20, Hanna teaches:

The method of claim 6 further comprising:

receiving the group-signed membership identity information document and the self-signed personal identity information document from the originator;

[see fig. 3A, element 60]

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detecting whether the group associated with the membership identity information document is accepted and whether the person associated with the personal identity information document is accepted;

[see fig. 3A, elements 62 and 74]

assigning first security protocols to communications from the originator if the group is accepted; and

[see fig. 3B, element 78]

assigning second security protocols to communications from the originator if the person is accepted.

[see fig. 3B, element 80]

As per claim 9 and 16, Hanna teaches:

In a communication system, apparatus for establishing a group identity comprising:

a group ID generate module generating a group certificate having at least a public key and a digital signature for the group; and a send module transmitting the group certificate to establish the group identity at a receiving system.

[see rejection of claim 1, further see col. 6, lines 10-14] "the message may comprise an encrypted certificate signed by the respective group membership server 16 that indicates that the applicant is a member of the specified group. The certificate is signed by the respective group membership server 16 and encrypted using an encryption key that permits decryption by the application server. This encryption key may comprise a shared key or alternatively, the public key of a public key pair maintained by the application server 12."

As per claim 10, Hanna teaches:

The apparatus of claim 9 further comprising: an attach module attaching a group membership certificate to a message originated by a sender; the send module transmitting the message to the receiving system to establish the sender as a member of the group at the receiving system.

[see rejection of claim 9, encrypted certificate]

As per claim 11, Hanna teaches:

The apparatus of claim 10 further comprising:

a membership ID generate module generating a membership certificate having at least a public key of the sender and a digital signature for the group;

[see rejection of claim 9]

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a save module, responsive to the membership ID generate module, storing the membership certificate;

[see fig. 1, application server]

a retrieve module retrieving the membership certificate from the save module and providing the membership certificate to the attach module.

[see fig. 1 application server]

As per claim 12, Hanna teaches:

The apparatus of claim 10 further comprising: a receive module at the receiving system receiving the membership certificate; an accept module at the receiving system detecting whether to accept the membership certificate.

[see fig. 1, group membership server]

As per claim 13, Hanna teaches:

The apparatus of claim 12 further comprising: an assign module assigning a security identification to communications from the sender based on the group associated with the membership certificate if the membership certificate is accepted by the accept module.

[see fig. 3A, elements 62 and 74]

As per claim 14, Hanna teaches:

The apparatus of claim 10 further comprising: a personal ID generate module generating a personal certificate having at least a public key of the sender and a digital signature by the sender;

[see fig. 3A, element 68]

the send module transmitting the personal certificate to establish the sender's identity at the receiving system.

[see fig. 3A, element 70]

As per claim 15 and 22, Hanna teaches:

The apparatus of claim 14 further comprising:

a receive module at the receiving system receiving the certificates;

[see fig. 3A, element 60]

an accept module at the receiving system detecting if the certificates are to be accepted;

[see fig. 3A, elements 62 and 74]

an assign module assigning a security protocol to communications from the sender based on a group identity associated with the membership certificate if the membership certificate is accepted by the accept module; and

[see fig. 3B, element 78]

the assign module assigning a security protocol to communications from the sender based on personal identity associated with the personal certificate if the personal certificate is accepted by the accept module.

[see fig. 3B, element 80]

As per claim 18, Hanna teaches:

The computer readable medium of claim 17 wherein the process further comprises: creating the membership certificate at the initiating system, the membership certificate having at least a public key of the originator and a digital signature signed using the group private key.

[see rejection of claim 1]

As per claim 21, Hanna teaches:

The computer readable medium of claim 17 wherein the process further comprises generating a personal certificate having at least a public key of the originator and a digital signature for the originator signed by the originator with a private key associated with the public key of the originator; sending the personal certificate to establish the personal identity of the originator at the receiving system.

[see rejections of claims 1 and 9]

CONCLUSION

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The art made of record and not relied upon is considered pertinent to applicant's disclosure.

POINTS OF CONTACT

- *. Any response to this Office Action should be **faxed to (571) 273-8300 or mailed to:**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Hand-delivered responses should be brought to

Customer Service Window
Randolph Building
401 Dulaney Street
Alexandria, VA 22314

- *. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel L. Hoang whose telephone number is 571-270-1019. The examiner can normally be reached on Monday - Thursday, 8:00 a.m. - 5:00 p.m., EST.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser Moazzami can be reached on 571-272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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3/12/07

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